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9 Attorneys for Counter-Claim Defendant, SAXON MORTGAGE SERVICES, INC.

10 **UNITED STATES DISTRICT COURT**
11 **NORTHERN DISTRICT OF CALIFORNIA**

12 CONSUMER SOLUTIONS REO, LLC,) Case No. 08-CV-04357 EMC
13 a Delaware limited liability company,)

14 Plaintiff,

15 vs.

16 RUTHIE B. HILLERY, an individual;
17 THE SPIELBAUER LAW FIRM, an
18 unknown business entity; and DOES 1
19 through 50, inclusive.

20 Defendants.

) **DECLARATION OF YELENA**
) **CAYTON IN SUPPORT OF AWARD**
) **OF SANCTIONS IN FAVOR OF**
) **SAXON MORTGAGE SERVICES,**
) **INC.**

) [By Court Order of January 8, 2010]

21 RUTHIE HILLERY,

22 Counter-Claimant,

23 vs.

24 CONSUMER SOLUTIONS REO, LLC,)
25 a Delaware limited liability company;)
26 SAXON MORTGAGE SERVICES,)
27 INC.; and MORTGAGE ELECTRONIC)
28 REGISTRATION SYSTEMS, INC.,)

Counter/Cross-Claim Defendants.)

) [Assigned to Hon. Edward M. Chen]

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1 that pleading [as to which approximately .6 hours were spent on the RESPA and FDCPA claims
2 as I was able to utilize some of the research and analysis from Consumer Solution's Motion to
3 Dismiss the original Counter-Claim, as well as that provided in the August 26, 2009 Order
4 thereon], drafting the Motion to Dismiss and Reply (as well as reviewing Ms. Hillery's
5 Opposition thereto [as to which 1.4 hours of my time was spent on the RESPA and FDCPA
6 issues]. This does not include the costs of preparing this Declaration.

7 B. 1.1 of the time of Jonathan D. Fink, one of the senior attorneys responsible for
8 this case, consisting of his review of the August 26, 2009 Order and the First Amended
9 Counter- and Cross-Claim [as to which an estimated .2 related to the RESPA and FDCPA
10 claims], revising the Motion to Dismiss and the Reply [as to which about .4 concerned those
11 two areas], and reviewing the Opposition, attending the hearing on the Motion on December 23,
12 2009, as well as reviewing this Court's January 8, 2010 Order [for all three of which combined
13 he attributes another .5 to just the FDCPA and RESPA issues]. This does not include his travel
14 time to San Francisco, nor the costs of his airfare, hotel and transportation, which, while
15 substantial—in excess of \$600—would have been incurred anyway on the other issues before
16 this Court that day.

17 4. My standard rate for work of this nature is \$175 per hour and Mr. Fink's is \$235
18 per hour. Thus, for the RESPA and FDCPA issues alone, Saxon incurred \$402.50 for my time
19 and \$258.50 for Mr. Fink's time, for a total of \$661.00.

20 I declare under penalty of perjury of the laws of the United States that the
21 foregoing is true and correct and that this declaration was executed on January 15, 2010,
22 at Newport Beach, California.

23
24 /s/ Yelena Cayton
25 YELENA CAYTON
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SERVICE LIST

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